

**COMMERCIAL PROPERTY**  
**RECORDED MASTER COVENANT AND AGREEMENT**  
**REGARDING ON-SITE BMP MAINTENANCE AND DRAINAGE**

STATED TO: THE TIPPECANOE COUNTY DRAINAGE BOARD AND/OR  
TIPPECANOE COUNTY SURVEYOR

FROM WHOM:

Property Owner Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Phone: (\_\_\_\_) \_\_\_\_\_ Fax: (\_\_\_\_) \_\_\_\_\_

Contact Person: \_\_\_\_\_ Cell Phone: \_\_\_\_\_

Property Site Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Legal Description: \_\_\_\_\_

Noted Last Deed of Record: \_\_\_\_\_

Key number: \_\_\_\_\_

I do hereby covenant and agree to and with the Tippecanoe County Drainage Board and/or the Tippecanoe County Surveyor that I will maintain according to the approved Operation and Maintenance Plan and approved Drainage Plan (plans) all stormwater pollution removal and/or stormwater quantity control devices including but not limited to Detention Systems, Conveyance Systems, Sedimentation Systems, Filtration Systems, Infiltration Systems, Oil and Water Separators, Water Quality Inlets, and Dry Wells located on my property site at the above address. The property site specific devices are listed as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I acknowledge that the Tippecanoe County Drainage Board and/or its designee shall have the right to enter the property and perform periodic inspections. I further acknowledge that if I do not maintain these specific devices in accordance with the approved plans, then the Tippecanoe County Drainage Board and/or its designee shall have the right to enter the property and perform the necessary, required maintenance, as well as take all other actions necessary for the proper maintenance of such stormwater devices, and charge me for costs incurred.

In the event that I fail to pay such costs, the Tippecanoe County Drainage Board and/or Tippecanoe County Surveyor shall have the right to assess the property for the amount of the costs incurred and if necessary, to file a Notice of Lien against the property in the Office of the Recorder of Tippecanoe County, Indiana.

Such Notice of Lien shall perfect the lien of the Tippecanoe County Drainage Board and/or Tippecanoe County Surveyor for the costs incurred and said lien shall have the same force and effect, and be enforced in the same manner, as a mortgage lien under Indiana law, and shall include attorneys' fees, title expenses, interest, and costs of collection.

This covenant and agreement shall run with the land and shall be binding upon any future owners, encumbrancers, their successors, heirs, or assigns and shall continue in effect until the Tippecanoe County Drainage Board and/or Tippecanoe County Surveyor approves its termination.

\_\_\_\_\_  
Printed Name of Property Owner

\_\_\_\_\_  
Printed Name of Property Owner

\_\_\_\_\_  
Signature of Property Owner

\_\_\_\_\_  
Signature of Property Owner

\_\_\_\_\_  
Date

**\*For Notary Public's Use Only\***

Acknowledged by \_\_\_\_\_ before me on the \_\_\_\_\_ day of \_\_\_\_\_

Signature \_\_\_\_\_ Printed Name \_\_\_\_\_

Notary public, State of Indiana, County of \_\_\_\_\_

My commission expires \_\_\_\_\_

Acting in the County of \_\_\_\_\_

**\*\*This document must be approved for recording by the County Surveyor's Office.\*\***

**\*\* For Tippecanoe County Surveyor's Office Use Only \*\***

Permit # \_\_\_\_\_

O&M Plan Approved? ☐ Yes ☐ No      Drainage Plan Approved? ☐ Yes ☐ No

Date Submitted \_\_\_\_\_ Check # \_\_\_\_\_

Approved for recording by: \_\_\_\_\_ Date \_\_\_\_\_

**\*\*\*Once approved by the Tippecanoe County Surveyor's Office, the document then must be recorded in the Office of the Recorder of Tippecanoe County.\*\*\***

**\*\*\* For Office of the Recorder of Tippecanoe County Use Only \*\*\***

Noted last deed of record \_\_\_\_\_

Key number \_\_\_\_\_ Date Recorded \_\_\_\_\_ Check # \_\_\_\_\_

This document prepared

by \_\_\_\_\_